



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HARVEY R. BIALK et al.

Serial No.: 09/851,285

Filed: May 8, 2001

For: METHOD AND SYSTEM FOR PROVIDING AN EFFICIENT
USE OF BROADBAND NETWORK RESOURCES

Attorney Docket No.: 2001-0148 (ATTB 0104 PUS)

Group Art Unit: 2623

Examiner: Saltarelli, Dominic D.

**NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31
AND PETITION FOR EXTENSION OF TIME
UNDER 37 C.F.R. § 1.136(a)**

Mail Stop AF
Commissioner for Patents
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final Office Action dated April 5, 2006 for the above-identified patent application.

Applicants hereby petition for a two month extension of time to respond to the Office Action dated April 5, 2006, thereby extending the time period within which to respond to September 5, 2006.

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| CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8 (FIRST CLASS MAIL) | | |
| I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, U.S. Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on: | | |
| <u>September 5, 2006</u> Date of Deposit | <u>James N. Kallis</u> Name of Person Signing | <u>[Signature]</u> Signature |

09/12/2006 AWONDAF1 00000058 09851285

01 FC:1401

500.00 OP

02 FC:1252

450.00 OP

A check in the amount of \$950 is enclosed to cover the appeal fee of \$500 as applicable under the provisions of 37 C.F.R. § 41.20(b)(1) and the petition fee of \$450 as applicable under the provisions of 37 C.F.R. § 1.17(a)(2). Please charge any additional fee or credit any overpayment in connection with this filing to our Deposit Account No. 02-3978.

Respectfully submitted,

HARVEY R. BIALK et al.

By: _____

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Date: September 5, 2006

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